SINGLE BENCH

(2) (5)

IN THE HIGH COURT OF JUDICATURE AT BILASPUR CHHATTISGARH

W.P. (S) No. 6192 /2006

PETITIONER : IRFAN-UL-RAHIM KHAN.
S/o. Shri A.R. Khan,
Aged about- 42 years,
Presently working as
Inspector, Road Transport
Department R/o. Kududand,
Bilaspur (C.G.)

PR 6256/06
P.R. No. 6256/06
Presented by Shri Ali Asgar
dated 10/11/06

RECEIVED-COPY
10-11-06

VERSUS

RESPONDENTS : 1. State of Chhattisgarh-
Through the Secretary, Home
Department , D.K.S. Bhawan,
Raipur (C.G.)

2. Director General of Police,
Police Hd. Qtrs. Raipur (C.G.)

3. Commissioner of Transport of
Chhattisgarh, Raipur (C.G.)

4. Additional Transport
Commissioner, Bus Stand,
Pandri, Raipur (C.G.)

OATH COMMISSIONER
APARNA MALVIYA
09/11/06
Bilaspur Chhattisgarh

(3) (6)

WRIT PETITION UNDER ARTICLE 226/227 OF

THE CONSTITUTION OF INDIA FOR ISSUANCE OF

APPROPRIATE WRIT, WRITS, ORDER, DIRECTIONS ETC.

(28)

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

मामला क्रमांक ..... wp(s) 6192/06 **सन्** **200**

..... **विरुद्ध** .....

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	13-11-2006 Shri Manish Sharma and Shri Ali Asgar, counsel for the petitioner. Shri Sumesh Bajaj, Govt. Advocate for the State/respondents. Heard. Vide order dated 25-1-2005 (Annexure-P/4) petitioner's services were handed over on deputation to Transport Department. In the said order the tenure of deputation is not specified. Vide impugned order dated 9-11-2006 (Annexure-P/1) his services were repatriated from 4-11-2006 to his parent department. Learned counsel appearing for the petitioner contended that as per the guidelines of the State Government services are handed over on deputation for two years and in impugned order it has been mentioned that the petitioner's services are repatriated from 4-11-2006 after completion of two years whereas the period of two years will come to an end on 24-1-2007; therefore, the impugned order on the face of it cannot be given effect. The gist of the order is repatriation; therefore, mentioning completion of two years in the said order was not necessary. Petitioner did not challenge the order on *mala fide*, therefore, deputation being not a legal right, repatriation of services until it stood to be *mala fide* cannot be interfered with. In view of the above, the writ petition filed by the petitioner is liable to be dismissed in *limine* and is accordingly dismissed. Consequently, M.(W.).P.No.4578/06 & I.A.No.10717/06 also stand disposed of. **Sd/-** **V.K.Shrivastava** **Judge**	
Gowri		

(पीछे देखिये)

16.11.06